



Sutton Housing Society – Privacy Statement

Introduction

Sutton Housing Society Limited (SHS) is committed to protecting your privacy and takes this responsibility seriously. This Privacy Statement is designed to advise how SHS uses your personal information, how it is processed and how it is used.

Data Controller

As a small organisation, SHS has a senior member of the staff team that is designated as its “Data Controller”. This is the Head of Finance and Resources. They can be contacted via e-mail at info@shs.org.uk or by contacting the office on 020 8642 1500.

The role of the Data Controller is to ensure that SHS properly processes, stores, maintain and erases the data we gather. The Data Controller is responsible for ensuring that we comply with the requirements of the Data Protection Act 1998 and the General Data Protection Regulations.

The SHS Website

SHS makes every effort to ensure that the website is up to date and that information is relevant and accurate.

We make every effort to ensure that links from this website to third party websites are relevant, current and appropriate but SHS does not accept liability in connection with any third party websites which may be linked or accessible through our website and we do not endorse or approve the contents of any such site.

Any data submitted via our website online forms and via emails is not secure and we cannot guarantee that information submitted will not be intercepted or modified, or that it will be received safely. When a form or email is received by SHS via the SHS website, you will receive an automated acknowledgement of this.

We make every effort to ensure that our systems and website are free from viruses and harmful files. However, the material accessed through the use of our web pages is obtained entirely at your own risk and you will be responsible for any resulting problems or damage to software or computer systems and/or any resulting loss of data.

SHS is not liable for any direct, indirect, special, incidental, or consequential damages arising out of the use of the information held on the site.

Nothing on this website shall be construed as an offer or the basis for a contract between us and you or any other party.

Information on this website is provided for information purposes only; you should not rely on it to make any decision without either taking professional advice or verifying the accuracy of the information provided.

The materials on our website are owned by us and we reserve copyright and all other rights in them. Our name and any image or logo we use to identify ourselves are our trademarks and may not be reproduced without our permission in writing.

You may download, print and store information from this website while acknowledging our copyright in it.

We may request your e-mail address or mailing address for the purposes of conducting a survey or by your request to have someone contact you for additional information. If we request the identity of a website visitor, we will clearly indicate the purpose of the inquiry before the information is requested. We do not intend to sell, rent, or otherwise give your e-mail address to a third-party, without your consent.

Our website and these terms and conditions shall be governed by English law and subject to the exclusive jurisdiction of the English Courts.

SHS is a charitable organisation registered under the Co-operative and Community Benefit Societies Act 2014 number 16614R. Our registered office is Pat Shaw House, 13 – 19 Ventnor Road, Sutton, Surrey SM2 6AQ

Privacy Notice

SHS respects the privacy of its tenants and housing applicants. Your contact with us generates records which can include records of some personal information which is subject to the Data Protection Act 1998.

This privacy notice explains our approach to data protection.

How we collect personal information

We collect information in a variety of ways mainly via various forms but also on the website and through our contracts.

Our day to day work entails regular, ongoing contact and correspondence with you, with statutory and non-statutory organisations that provide sustainment services, support/care related to you/your family and from people associated with you such as family, friends and neighbours.

We do not record telephone calls to and from the Head Office; our partner that responds to alarm calls and to any out of hours contact, does record calls for the purpose of ensuring your safety and security and for their staff training purposes. SHS will only ever ask to hear any recordings if you make a complaint about the way your call was dealt with, if staff are not clear about what was said, we cannot gain clarity elsewhere and for staff training purposes.

If you provide us with personal information relating to members of your family or your associates we will assume that you do so with their knowledge and consent.

It is important that you notify us of any changes to your personal information as soon as possible so that we can contact you easily and ensure our records are accurate. From time to time, SHS may contact you to review the information held to ensure it's appropriate and accurate.

The information that we hold

When you apply to SHS to become one of our tenants, we ask you to complete a form so that we can ascertain your housing needs; this information is obligatory and we have a legitimate purpose for requesting the information. In order to help us assess your application, we may take up references from other housing providers/private landlords, your

mortgage lender (if you own/have owned your own home), the Police, the Probation Service, support workers, social workers, mental health workers and credit reference agencies.

As a SHS tenant we will also need your bank details together with any benefit and council tax information. This information is obligatory and we have a legitimate purpose for requesting the information in order to collect the full rent due.

Once you become an SHS tenant, your Housing Application form is stored within your house file in hard copy format. This is also included in any scanned tenancy file and stored electronically.

We will record information whenever you contact us or use our services and we will note any action taken, for example logging repairs and feedback from our contractors about their appointments, so that we have a record of what happened.

We may take photographs at events organised and hosted by SHS. When becoming a tenant of SHS, you will have been given a form to sign indicating whether or not you were happy to be included in photographs which we use for the on SHS' website, in brochures and other publicity material (such as newsletters) and may be provided to the media for publication in local newspapers. At any events, you will always be given the option not to be included in a photograph. Where group shots are to be taken you will be advised that photographs are being taken and any individual photographs will only be taken with your consent.

All of this information is stored on our IT Housing Management system. Restrictions apply and staff can only access the information relevant to their role and fulfilling their responsibilities.

Who the personal information relates to

We collect and hold personal information about:

- **Tenants/Applicants** - This includes current, former and potential tenants who live in our properties or access our support and other services and includes members of their family and people associated with them.
- **Visitors** – This includes visitors that make enquiries to us and on occasion visitors to our website.

What is Personal Data?

Personal data means data which relate to a living individual who can be identified –

(a) from those data, or

(b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller,

and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

This information was taken from the Information Commissioner's Office website; www.ico.org.uk .

What is Sensitive Personal Data?

This relates to information concerning a data subject's racial or ethnic origin, political opinions, religious beliefs, trade union activities, physical or mental health, sexual life, or details of criminal offences.

This information was taken from the Information Commissioner's Office website; www.ico.org.uk .

How SHS uses this information

We keep records to allow us to:

- Make allocations of accommodation
- Manage tenancies including collecting rent and service charges
- Provide a repairs and maintenance service
- Offer help with debts and benefits
- Provide support services which help tenants achieve their goals
- Provide care and support for older and vulnerable tenants
- Keep in touch with our tenants to understand your needs and preferences to better direct our services and to invite you to events
- Prevent and detect crime and resolve disputes
- Prevent and detect fraud (particularly tenancy or benefit fraud) and money laundering

- Promote safety and the quiet enjoyment of our neighbourhoods and communities
- Promote equal opportunities and fair treatment for all our tenants
- Provide information you request from us
- Meet our legal obligations, including those owed to our funders or regulators.

“Sensitive” personal information

Under the Data Protection Act 1998 certain personal information is classified as “sensitive”.

Sensitive data is information relating to physical or mental health, sexual orientation and religion/beliefs and is voluntary information; you do not need to provide this information to us.

Information relating to allegations of criminal offences and criminal convictions and offences must be declared on any housing application/transfer form; this information is obligatory and we have a legitimate purpose for requesting the information.

When we collect specific sensitive data we will notify you of how we will use it (e.g. Tenant Profiling data), including who it may be shared with, and seek your consent to this.

We minimise our holding and use of sensitive categories of personal information. However, given the services we provide, there are times when we use it to assist in providing/accessing services for you e.g. when helping someone to access support and care services.

Direct marketing

SHS would like to provide you with information about events, services and other information which we think you may find interesting. We may send you such information by post, email or contact you by telephone.

You can let us know at any time how you prefer to be contacted or if you do not want us to contact you with this information.

We never provide your personal information to other companies for their marketing purposes.

Sharing your information

Your personal information will be kept secure and confidential. Our staff have restricted access to personal information on a “need to know” basis.

We may share information with contractors, or agencies we work with, such as Local Authorities, Social Services, Police, other social landlords. We will also disclose information as required by law.

In particular, please be aware:

- Your name, address and telephone numbers will be shared with our contractors that need to carry out work to your home. This may also include sensitive information that we feel is relevant in providing this service e.g. the tenant has difficulty walking; contractors must allow sufficient time to answer the front door.
- Current or forwarding addresses may be shared with utility companies and Council Tax offices to ensure billing details are correct.
- If you default on any tenancy conditions, information about you may be provided to authorised debt recovery agencies, to enable them to recover the debt. This may affect future applications for tenancies, credit and insurance.
- We may discuss your financial situation, rent payments (including any arrears) and any claims made for welfare benefits with an external debt advice agency, welfare rights advisor, the housing benefit department or the local authorities housing advice and homeless prevention team to make sure that benefits are paid correctly.
- We may pass your contact information to a third party to conduct surveys and research on our behalf which allow us to gather feedback and improve the services we offer you e.g. the Tenant Satisfaction Survey. The third party will be bound to strict terms and conditions outlined by us and will not share your data with other organisations. Should you choose not to participate in the surveys the third party will securely destroy your data.
- We may share your National Insurance number to verify your Universal Credit application and manage these payments. We may also share your National Insurance number in order to prevent and investigate tenancy and right to buy applications fraud.

National Fraud initiative

SHS may participate in the National Fraud initiative (NFI) data matching exercise carried out by the Cabinet Office. Our participation in NFI assists in the prevention and detection of fraud against SHS and

organisations within the public sector. We participate on a voluntary basis and provide the Minister for the Cabinet Office with particular sets of data for matching

Data matching involves comparing computer records held by one body against other computer records held by the same or another body to see how far they match. This is usually personal information such as your date of birth.

Computerised data matching allows fraudulent claims and payments to be identified. Where a match is found it may indicate that there is an inconsistency which requires further investigation. No assumption can be made as to whether there is fraud, error or other explanation until an investigation is carried out.

The use of data by the Cabinet Office in a data matching exercise is carried out with statutory authority under Part 6 of the Local Audit and Accountability Act 2014. It does not require the consent of the individuals concerned under the Data Protection Act 1998. Data matching by the Cabinet Office is subject to a Code of Practice.

Further information on the NFI is detailed in the Cabinet Office's fair processing notice.

How long SHS keeps your data

SHS has a document retention policy which specifies SHS' approach to the storage of data.

All tenancy records are retained for 1 year following the expiry of the tenancy. Tenancies ended with a debt of £50 or more are retained for 5 years.

Your rights

You have the right to ask us in writing not to process your personal information if it is causing or likely to cause substantial damage or distress, or for the purpose of direct marketing.

There may be other specific circumstances where you wish for us to stop processing your data, such as if you agreed to take part in a survey or signed up to an optional service.

SHS does need to maintain certain records to enable us to provide you with the services you enjoy and also to meet the requirements of our Housing Regulator.

You have the right to access any personal information we hold about you. If you would like copies of some specific information from your files, we will try to provide it as quickly as possible. Please contact the Data Controller to discuss this.

The new General Data Protection Regulations (GDPR) introduced 8 rights as follows:

Right to be Informed:

Before data is collected, a data subject has the right to know how it will be collected, processed, and stored, and for what purposes.

Right to Access:

After data is collected, a data subject has the right to know how it has been collected, processed, and stored, what data exists, and for what purposes.

Right to Correction (Rectification):

A data subject has the right to have incorrect or incomplete data corrected

Right to Erasure (“right to be forgotten”):*

A data subject has the right to have personal data permanently deleted (apart from when we have a legitimate reason for holding this data).

Right to Restriction of Processing:

A data subject has the right to block or suppress personal data being processed or used.

Right to Data Portability:

A data subject has the right to move, copy, or transfer personal data from one data controller to another, in a safe and secure way, in a commonly used and machine-readable format. Wherever technically possible, this also includes the right to have the data transferred directly from one controller to another without the data subject having to handle the data.

Right to Object to Processing:

A data subject has the right to object to being subject to public authorities or companies processing their data without explicit consent. A data subject also has the right to stop personal data from being included in direct marketing databases.

Right Not to be Subjected to Automated Decision Making:

A data subject has the right to object to being subject to public authorities or companies processing their data without explicit consent. A data subject also has the right to stop personal data from being included in direct marketing databases.

(Much of this information has been taken from www.helpsystems.com)

*The ICO advises that individuals have a right to have personal data erased and to prevent processing in specific circumstances:

- Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed
- When the individual withdraws consent
- When the individual objects to the processing and there is no overriding legitimate interest for continuing the processing
- The personal data was unlawfully processed (e.g. otherwise in breach of the GDPR).
- The personal data has to be erased in order to comply with a legal obligation.

SHS may refuse to erase the data in certain circumstances. These are:

- In order to comply with a legal obligation or for the performance of a public interest task or exercise of official authority;
- for public health purposes in the public interest;
- archiving purposes in the public interest, scientific research historical research or statistical purposes; or
- the exercise or defense of legal claims.

If you require a substantial amount of your personal information, there is a formal process for this, under the Data Protection Act 1998, known as a Subject Access Request (SAR).

You also have the right to claim compensation if we fail to comply with the Data Protection Act 1998 and you suffer damage as a result.

You have the right to lodge a complaint with the ICO if you feel that SHS has not managed your data as it should. Further information can be found on their website at www.ico.org.uk

What you need to know about making a SAR:

- The right of subject access under the Data Protection Act 1998 is an individual one. This means that we cannot process joint requests – they have to be treated separately.
- You can write to us to make your request and, if necessary, we will provide you with a SAR form for completion. Please write to the Data controller, Pat Shaw House, 13 – 19 Ventnor Road, Sutton SM2 6AQ
- We will require proof of your identity and address – we will let you know this when we receive your request.
- When we receive your request and have confirmed your identity to our satisfaction, we shall respond and provide your information within 1 calendar month.

Changes to our privacy notice

This privacy notice will be updated to reflect changes either to the way in which we operate or changes to data protection legislation. We will bring any significant changes to your attention but to make sure that you keep up to date, we suggest that you revisit this notice from time to time.

Contacting us

We welcome any queries you may have regarding this privacy notice, or any information we hold about you. Please contact:

The Data Controller
Pat Shaw House
13 – 19 Ventnor Road
Sutton
SM2 6AQ

Other Resources

The Information Commissioners Office (ICO) is the UK's independent body who upholds information rights in the public interest. Their contact details are below:

Information Commissioner's Office
Wycliffe House Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

Fax: 01625 524 510

Website: <https://ico.org.uk/>